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C O N F I D E N T I A L SECTION 01 OF 02 BUCHAREST 000116

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SUBJECT: ADOPTIONS: PM TARICEANU SHOWS LITTLE FLEXIBILITY

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Classified By: Ambassador Nicholas Taubman for Reasons 1.4 B and D

¶1. (C) Summary. During a January 16 meeting with Ambassador, Prime Minister Calin Popescu Tariceanu indicated little flexibility in positively resolving pending adoption cases filed by U.S. prospective parents before Romania's de facto ban on inter-country adoptions. He pledged to provide an explanation of the circumstances of each case, but underscored that the prospective parents should have "no false hopes" that any of the adoptions would be processed to completion. He said he had consulted with the European Commission after the European Parliament vote in mid-December that favored of completing inter-country adoptions when appropriate, but had not changed his mind on the matter. The Ambassador noted President Basescu's statement to Congressman Wexler that the GOR might pass an emergency ordinance to allow some "exceptional cases" to be processed (Ref A). He pressed Tariceanu to abide by Romania's earlier commitments to allow the adoptions, in the best interest of the children involved and to remove the issue as an irritant in our bilateral relationship. End Summary.

¶2. (C) Ambassador Taubman met with PM Tariceanu January 16 to follow up on public GOR statements in recent weeks that no inter-country adoptions would be processed among the cases filed during Romania's 2001-2004 moratorium on inter-country adoptions (Ref A), while President Traian Basescu told visiting U.S. Congressman Robert Wexler on January 10 that the GOR would consider emergency legislation to allow some cases to be processed. Ambassador pressed Tariceanu to honor what the USG considers was the GOR's commitment to process the pending cases, based on their official registration.

¶3. (C) Prime Minister Tariceanu acknowledged that the issue of the pending cases remained a difficult point in otherwise superb bilateral relations. He said, however, that his views on the issue had not changed, despite the European Parliament's explicit inclusion in its December report on Romania of language supportive of processing pending inter-country adoptions on a case-by-case basis in the best interests of the children involved. He said that the GOR had communicated with the European Commission since the EU Parliament vote. He indicated, however, that the sense in Brussels on the issue similarly remained the same.

¶4. (C) Tariceanu further noted that Romania is continuing to review the circumstances of all the pending cases. In his view, however, none of the prospective parents should have "false hopes" that any of the pending cases will lead to an inter-country adoption taking place. He noted that the GOR is currently reviewing the circumstances of the children in all of the roughly 1,300 applications for inter-country

adoption cases filed during the 2001-2004 moratorium on inter-country adoptions. Of the approximately 650 cases reviewed thus far, Tariceanu said that none met the GOR's criteria for inter-country adoption. He committed to ensure that prospective parents -- in the U.S. and elsewhere -- receive letters with a "detailed analysis" in all of the cases.

¶15. (C) Tariceanu also asserted that all the American families had registered after the start of the moratorium, with the understanding that Romania could implement a ban on adoptions. Furthermore, Romania's new law on adoptions, which the PM said was in line with European legislation, "banned any inter-country adoptions from Romania," and the European Commission "remains strict" in discouraging them.

¶16. (C) When Ambassador reported that President Basescu had told Rep. Wexler the GOR might consider emergency legislation to process some pending cases (Ref B), Tariceanu said he was sure the President is very aware of the legislation in place.⁸ Tariceanu said he would ask what Basescu meant by his statement. Tariceanu also repeated the GOR's public line that some 1,300 Romanian families are waiting to adopt children, many more than the number of orphans and abandoned children available) only three to five hundred, by the GOR's count. Furthermore, he claimed, the number of children abandoned at birth had dropped in the past year, down to 2,500, with most being reunited with their families within the first weeks of life.

¶17. (C) Ambassador responded that, at the time the foreign families registered, inter-country adoption remained legal in Romania, but was only temporarily suspended by the

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moratorium. He said the fact that the Romanian government allowed the cases to be filed represented a commitment by the Romanian government ultimately to process the adoptions. Furthermore, the Ambassador contested the figures Tariceanu cited indicating that Romania had more parents willing to adopt in Romania than children currently available for adoption. The Ambassador noted that, given the slow process for reviewing cases of orphaned and abandoned children, there are indeed thousands of children in need of permanent homes but who are stuck in foster care or in institutions. The Prime Minister claimed there was no lack of will on the GOR's part to process the cases, but that the GOR was faced by the problem of extensive corruption in the old adoption process and pressure by the European Parliament to stop inter-country adoptions and promote domestic adoptions.

¶18. (C) Although he acknowledged that Romania had made progress in child welfare since the 1990's, the Ambassador pressed for a fully transparent analysis of the cases pending review; for documentation supporting the analysis of those cases the GOR already determined were not qualified for inter-country adoption; for the GOR to honor its commitment to the pending cases; and for the GOR to follow through on President Basescu's statement to Rep. Wexler that emergency legislation could be enacted.

¶19. (C) Comment: The meeting served notice to Tariceanu that the USG intends to continue pressing on this issue. Unfortunately, Tariceanu gave no indication that his outlook had changed. Neither the vote of the European Parliament in December to encourage Romania to include inter-country adoption in resolving the pending cases, nor the recent letter to the PM from European Parliamentarians, has changed his thinking.

¶10. (C) Comment Continued: In our view, impetus for a shift in the GOR's stance will only come through an explicit green light from the EC, which is meanwhile reviewing Romania's candidacy for accession to the EU in 2007. Basescu's assertion to Rep. Wexler that the GOR would consider an

emergency ordinance to allow processing of a very limited number of pending cases might also offer a small window of opportunity, although we have been disappointed before. The stark reality is that the vast majority of the pending cases will not be resolved in a manner that leads to international adoption. This includes cases where children may have been reunited with their natural family or where Romanian foster parents -- who in many cases have cared for the children for many years -- may be given priority by the GOR to adopt the children. In short, time is not on our side. Our expectations must remain modest, even as we seek to change the equation here and in Brussels. End Comment.

¶11. (U) Amembassy Bucharest's reporting telegrams are available on the Bucharest SIPRNet website:
www.state.sgov.gov/p/eur/bucharest

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